

GP 2646

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re application of: Zhang et al.

Attorney Docket No.: AUD1P009

Application No.: 10/037,766

Examiner: Harvey, Dionne

Filed: October 23, 2001

Group: 2646

Title: METHOD AND SYSTEM FOR  
REMOTELY UPGRADING A HEARING AID  
DEVICE

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on October 10, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed:

Kristina Gomez

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated September 8, 2005, Applicant hereby elects, with traverse, group I, claims 1-17, 19-23 and 25-28 to prosecute in the above-identified patent application.

Applicant respectfully traverses the Restriction Requirement because these claims have already been examined by the Examiner in previous Office Actions of December 5, 2003, May 21, 2004, January 12, 2005 and the Advisory Action of April 11, 2005. No claims have been added since the filing of the present application, therefore, a Restriction Requirement at this point in the prosecution of this application is untimely and, therefore, improper.

If any fees are due in connection with the filing this Response to Restriction Requirement, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. AUD1P009).

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read 'C. Douglass Thomas', is written over the printed name.

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